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PASS TO DRL DAS BARKS-RUGGLES

E.O. 12958: DECL: 06/15/2017  
TAGS: [PHUM](#) [KDEM](#) [PGOV](#) [UNHRC](#) [AG](#)  
SUBJECT: MFA'S BOUGUERRA DISCUSSES HRC BUSINESS

Classified By: Ambassador Robert S. Ford. Reasons 1.4 (b) and (d).

11. (C) SUMMARY. On June 9 visiting DRL DAS Erica Barks-Ruggles met with the MFA Director General for Multilateral Affairs Madjid Bouguerra to discuss special procedures used by the Human Rights Council (HRC) to monitor and publicly report on human rights situations. Bouguerra indicated that Algeria would support the elimination of country-specific mandates, support the Occupied Palestinian Territories (OPT) Agenda item, and support the election of special mandate holders and experts. Despite these serious areas of disagreement, the GOA largely agrees with the U.S. position on the Universal Periodic Review (UPR) and Resolution 1503. Due to the recent appointment of Foreign Minister Mourad Medelci, Bouguerra could not confirm his attendance at the upcoming annual session in Geneva, June 11-18. Bouguerra said he would discuss with the Algerian Ambassador in Geneva continued friction. END SUMMARY.

#### Special procedures - Mandates

12. (C) In response to the USG position on preserving mandates, Bouguerra said he had no problem with supporting the renewal of thematic mandates. However, regarding country-specific mandates, he reported that there is a general consensus among the member states of the Non-Aligned Movement, Arab states, and many in the African group that they should be eliminated because of their confrontational stance and their lack of success. Bouguerra further reasoned that building consensus was better than confrontation. He admitted that since there are no alternatives for country-specific mandates, Algeria would probably go along with the majority of countries pushing for their elimination. DAS Barks-Ruggles pushed back on this issue and expressed great concern over the lack of tools for the HRC to push for HRC improvements and reforms.

#### Special Rapporteurs and Experts Selection vs. Election

13. (C) Bouguerra stated that Algeria is against having the Council President select the Special Rapporteurs because a politically-biased selection cannot be avoided. Elected rapporteurs were preferable. Bouguerra, however, was more favorable to support a roster and selection process after DAS Barks-Ruggles pointed out that for both Special Rapporteurs and Experts the Sub-Commission operating expenses had exceeded the now-defunct HR Commission's budget threefold and a roster selection with experts

available only as needed to address the specific taskings of the Council could greatly reduce the operational expenses.

#### HRC Agenda

¶4. (C) Both interlocutors agreed that the 19 permanent agenda items of the United Nations Human Rights Commission (UNHRC) encouraged conflict rather than cooperation. DAS Barks-Ruggles pressed for the HRC agenda to be broad and general to allow the Council to address issues as they arise. Bouguerra countered that there be no double standards, but then quickly added that public opinion required retention of an OPT agenda item. Regarding the Darfur crisis, Bouguerra supported applying friendly pressure on Khartoum, but insisted the government of Sudan must buy into HRC concerns.

#### Universal Periodic Review - NGO Participation

¶5. (C) In response to reiteration of USG position, Bouguerra reiterated Algeria's position that the Council is an inter-governmental body. Therefore, non-governmental organizations (NGOs) should interact with the Council and not be involved in evaluating member states.

#### Other Items

¶6. (C) Both interlocutors agreed there was scope to work together on the Code of Conduct. Bouguerra argued that the High Office of the Commissioner should serve as the Council's secretariat. He added that several states were of the same opinion. DAS Barks-Ruggles pushed back noting the separate mandate of the High Commissioner has and her own independent mandate and funding for her office is not a slush fund for the HRC.

¶7. (C) In a private session at the end of the meeting, DAS Barks-Ruggles expressed concern that the behavior of Idriss Jazairy, Algerian permanent representative in Geneva, was inconsistent with AF group thinking. As a result, Algeria's reputation in Washington was suffering. Bouguerra said that he had previously discussed this issue with Ambassador Ford and afterward had spoken to Jazairy. He offered that he would call Jazairy again and instruct him to "listen more carefully." Bouguerra concluded that he might lead the Algerian delegation himself during the upcoming session, because his government wanted to finish well at the Council.

¶8. (U) This cable has been cleared by DAS Erica Barks-Ruggles.

FORD